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**Rep. Smith Files Statewide Marijuana Decriminalization Bill**

*HB 1403 eliminates criminal penalties for minor cannabis or paraphernalia possession*

Tallahassee, FL - Rep. Carlos Guillermo Smith (D-Orlando) and Sen. Jeff Clemens (D-Palm Beach) filed legislation this week to overhaul Florida's draconian marijuana possession laws. HB 1403 /SB 1662 re-categorizes misdemeanor criminal offenses for minor possession as non-criminal civil violations. If passed, adults and minors would no longer be subject to arrest for unlawful possession of "personal use quantities of cannabis," defined as one ounce or less. Adult violations under the law would assess civil penalties of no more than \$100 or up to 15 hours of community service for those facing financial hardships. Minors would be ordered to complete up to 15 hours of community service, a drug awareness program, or both.

As of [October 2016](#), 14 cities and counties in Florida have instituted similar policies to curb misdemeanor arrests for cannabis possession of modest amounts of marijuana, including [Miami-Dade County](#), [Volusia County](#), [Alachua County](#), and the [City of Orlando](#). HB 1403 builds on that momentum in an effort to modernize Florida's marijuana laws in ways that benefit all Floridians. Common sense marijuana decriminalization eliminates our state's punitive approach to low-level drug offenses, allows law enforcement to focus on serious crimes, and saves the state millions of dollars.

Under [Florida law](#), marijuana possession constitutes at least a misdemeanor punishable by up to one year in jail and a \$1,000 fine. *According to data prepared by FDLE at the request of Rep. Smith, 44,033 Floridians were arrested for misdemeanor drug offenses in 2016. Of those arrested, 90.2% were arrested for marijuana possession.* The cost to taxpayers for arrests during that time period were unavailable, but based on the most recent data included in an ACLU [report](#), Florida spent \$228,635,840 enforcing marijuana laws in 2010.

This legislation also addresses the disproportionate impact marijuana criminalization has on communities of color. A [2015 report conducted by CBS Miami](#) determined that even though arrests for marijuana possession were decreasing, the overwhelming majority of those arrested were black or African American.

Rep. Smith provided the following statement:

*"39,706 Floridians were arrested in 2016 for low-level cannabis possession. These draconian marijuana possession laws have wasted taxpayer dollars, unnecessarily filled up our state prison system, and distracted law enforcement from focusing on apprehending dangerous criminals. We should be creating opportunities for people to succeed-- not creating obstacles and ruining lives over minor infractions or youthful indiscretions. It is past time for the legislature to end the unjust incarceration of Floridians for non-violent drug offenses. If Amendment 2 was any indication, [public opinion on marijuana has changed drastically over the years](#). Tallahassee politicians must catch up with where a majority of Floridians already are."*

To view detailed statistical data provided by FDLE to Rep. Smith's office click [here](#).

To view official correspondence between FDLE and Rep. Smith's office click [here](#).

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